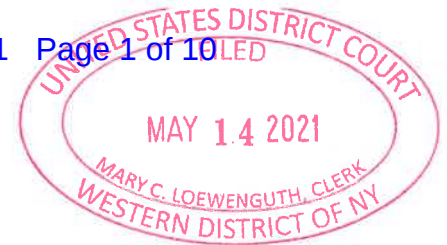


21 CV 622

Revised 03/06 WDNV

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORKFORM TO BE USED IN FILING A CIVIL COMPLAINT IN FEDERAL COURT  
(Non-Prisoner Context)

All material filed in this Court is now available via the **INTERNET**. See **Pro Se Privacy Notice** for further information.

1. CAPTION OF ACTION

**A. Full Name of Plaintiff:** NOTE: If more than one plaintiff files this action and seeks in forma pauperis status, each plaintiff must submit an in forma pauperis application or the only plaintiff to be considered will be the plaintiff who filed an application.

Maydaro Vashawn Paulk sr

-vs-

**B. Full Name(s) of Defendant(s)** NOTE: Pursuant to Fed.R.Civ.P. 10(a), the names of all parties must appear in the caption. The court may not consider a claim against anyone not identified in this section as a defendant. Add a separate sheet, if necessary.

1. Erie County Dept Permit, Micheal P. Kearns 4. Honorable M. William Bolter  
2. Micheal P. Kearns Erie County Clerk 5. \_\_\_\_\_  
3. \_\_\_\_\_ 6. \_\_\_\_\_

2. STATEMENT OF JURISDICTION, VENUE and NATURE OF SUIT

All of these sections **MUST** be answered

Identify the basis for federal Court jurisdiction over your claim, such as that the United States government is a party to the action, all the parties reside in different states and therefore you claim diversity jurisdiction, or the claim presents a federal question or arises under federal law.

A. Basis of Jurisdiction in Federal Court: Found in the Constitution Article III states the judicial power shall extend to all cases in law and equity, arising under the United States and Treaties made, or which shall be made, under Federal Court Authority.  
State why the Western District of New York is the proper venue for this action, such as that your claim arises in or the defendant resides in the 17 westernmost counties of New York State.

B. Reason for Venue in the Western District: plaintiff Maydaro Paulk and defendant Micheal P. Kearns both reside in Western New York District, which is Buffalo New York

Identify the nature of this action, such as that it is a civil rights claim, a personal injury or personal property (tort) claim, a property rights claim, or whatever it is.

C. Nature of Suit: Other statutory Actions. Denial in the matter of an Firearms License Application. Wrong infraction of plaintiff Criminal history.

**3. PARTIES TO THIS ACTION**

**PLAINTIFF'S INFORMATION** NOTE: To list additional plaintiffs, use this format on another sheet of paper.

Name of First Plaintiff: Raydaro Vashawn Paulk Sr  
Present Address: 74 TENTH STREET Apartment # 104 Buffalo, NY  
14201

Name of Second Plaintiff: \_\_\_\_\_

Present Address: \_\_\_\_\_

**DEFENDANT'S INFORMATION** NOTE: To list additional defendants, use this format on another sheet of paper.

Name of First Defendant: Michael P. Kearns  
Official Position of Defendant (if relevant): ERIE COUNTY CLERK  
Address of Defendant: 92 FRANKLIN STREET Buffalo, NY 14202 - 9949  
716-858-8797

Name of Second Defendant: \_\_\_\_\_

Official Position of Defendant (if relevant): \_\_\_\_\_

Address of Defendant: \_\_\_\_\_

Name of Third Defendant: \_\_\_\_\_

Official Position of Defendant (if relevant): \_\_\_\_\_

Address of Defendant: \_\_\_\_\_

**4. PREVIOUS LAWSUITS IN STATE AND FEDERAL COURT**

A. Have you begun any other lawsuits in state or federal court dealing with the same facts involved in this action?  
Yes ☐ No ☒

If Yes, complete the next section. NOTE: If you have brought more than one lawsuit dealing with the same facts as this action, use this format to describe the other action(s) on another sheet of paper.

1. Name(s) of the parties to this other lawsuit:

Plaintiff(s): (N/A)  
(N/A)

Defendant(s): (N/A)2. Court (if federal court, name the district; if state court, name the county): (N/A)3. Docket or Index Number: (N/A)4. Name of Judge to whom case was assigned: (N/A)5. The approximate date the action was filed: (N/A)

6. What was the disposition of the case?

Is it still pending? Yes ☐ No ☐If not, give the approximate date it was resolved. (N/A)

Disposition (check those statements which apply):

☐ Dismissed (check the statement which indicates why it was dismissed):

- ☐ By court *sua sponte* as frivolous, malicious or for failing to state a claim upon which relief can be granted;
- ☐ By court for failure to prosecute, pay filing fee or otherwise respond to a court order;
- ☐ By court due to your voluntary withdrawal of claim;

☐ Judgment upon motion or after trial entered for

- ☐ plaintiff
- ☐ defendant.

**5. STATEMENT OF CLAIM**

**Please note** that it is not enough to just list the ground(s) for your action. You **must** include a statement of the facts which you believe support each of your claims. In other words, just tell the story of what happened and do not use legal jargon.

**Fed.R.Civ.P. 8(a)** states that a pleading must contain "a short and plain statement of the claim showing that the pleader is entitled to relief." "The function of pleadings under the Federal Rules is to give fair notice of the claim asserted. Fair notice is that which will enable the adverse party to answer and prepare for trial, allow the application of res judicata, and identify the nature of the case so it may be assigned the proper form of trial." Simmons v. Abruzzo, 49 F.3d 83, 86 (2d Cir. 1995).

**Fed.R.Civ.P. 10(b)** states that "[a]ll averments of claim ... shall be made in numbered paragraphs, the contents of each of which shall be limited as far as practicable to a single set of circumstances."

**A. FIRST CLAIM:** On (date of the incident) MARCH 26<sup>TH</sup>, 2021,

defendant (give the name and (if relevant) the position held of each defendant involved in this incident) \_\_\_\_\_

"Michael P. Kearns" Erie County Clerk sent me a denial letter from "Honorable M. William Boller," Acting Justice of the Supreme Court

did the following to me (briefly state what each defendant named above did): I Raymond Vashawn Paulk

was denied Firearm license Pursuant to section 400.00 of The  
NEW YORK STATE PENAL LAW. States my failure to disclose any Criminal Charges  
even if dismissed and sealed. May be a sufficient cause to that deny  
this application. I pursued just year to follow all steps of the application.

Buffalo Police Headquarters 68 Court Street received all Arrests that was shown. Also  
25 Delaware Ave 50 Delaware for deposition I paid for the ones was shown that they found  
completed NRA Certificate, found 4 references for good moral. Courts made an error with my  
BIRTHDAY of an deposition couldn't find Arrests cause it wrong Birthdate in System

The federal basis for this claim is: \_\_\_\_\_

I wish that the courts can see I did not hide Arrest Info. ERROR in Courts  
caused my FIREARMS LICENSE DENIAL  
 State briefly **exactly** what you want the Court to do for you. Make no legal arguments and cite no cases or statutes:

If the courts could see or view my evidence of my arrest. That I just  
found going back in forth to each Downtown Buffalo Courts. Until I found the  
problem. There was an Arrest with The wrong BIRTHDATE (1985) mine 12/05/1983  
wrong ↓ correct ↓

If I can get my decision (overturned) due to the court system Error.

**B. SECOND CLAIM:** On (date of the incident) \_\_\_\_\_,

defendant (give the name and (if relevant) position held of each defendant involved in this incident) (N/A)

did the following to me (briefly state what each defendant named above did): \_\_\_\_\_

(N/A)

The federal basis for this claim is: \_\_\_\_\_

State briefly **exactly** what you want the Court to do for you. Make no legal arguments and cite no cases or statutes:

(N/A)

If you have additional claims, use the above format to set them out on additional sheets of paper.

**6. SUMMARY OF RELIEF SOUGHT**

Summarize the relief requested by you in each statement of claim above.

I worked very hard to get Accepted for a Firearm Licence and  
was denied. Because of an arrest that didn't show up in Background  
check at the police Headquarters or 25 Delaware and 50 Delaware. Until I was  
denied and Michael P. Kennas 92 Franklin ST Buffalo NY found the code  
and the courts told me they could not find it because my birthday was wrong

Do you want a jury trial? Yes ☒ No ☐

**I declare under penalty of perjury that the foregoing is true and correct.**

Executed on May 14 2021  
(date)

**NOTE:** Each plaintiff must sign this complaint and must also sign all subsequent papers filed with the Court.

Rylee Vernon Park Sr.

Signature(s) of Plaintiff(s)



**BUFFALO CITY COURT**

50 Delaware Avenue, Buffalo, NY 14202

Phone: (716) 845-2689 Fax: (716) 847-8257

**FEE****Non-Public  
Version**

Court ORI: NY014011J

The People of the State of New York

vs.

**Raydaro V. Paulk****Certificate of Disposition**

Docket Number: **CR-01001-05**  
 Legacy Docket Number: **2005ER011585F**  
 CJTN: **058301502Y**  
 NYSID: **02246291Q**

Arrest Date: **08/31/2006**Arraignment Date: **08/31/2006**

(Defendant DOB: **12/05(1985)**) *COURT'S ERROR*  
*↑ NOT MY FAULT!*

THIS IS TO CERTIFY that the undersigned has examined the files of the **Buffalo City Court** concerning the above entitled matter and finds the following:

Count #	Charge	Charge Weight	Disposition	Disposition Date
1	PL 145.05 EF Criminal Mischief-3rd **SEALED 160.50**	EF	Reduced to (Count #2)	09/26/2006
2	PL 145.00 01 AM Crim Mis:Intent Damage Proprty **SEALED 160.50**	AM	Dismissed (Speedy Trial (CPL 170.30 (1)(e)), Sealed 160.50)	09/26/2006

Charge Weight Key: I=Infraction; V=Violation; AM, BM=Class Misdemeanor; UM=Unclassified Misdemeanor; AL, BF, CF, DF, EF=Class Felony

Dated: **May 13, 2021**

Chief Clerk/Clerk of the Court

**CAUTION: THIS DOCUMENT IS NOT OFFICIAL UNLESS EMBOSSED WITH THE COURT SEAL**

All marijuana convictions under PL 221.05, PL 221.10, PL 221.15, PL 221.20, PL 221.35 or PL 221.40—including any appearing on this certificate of disposition—are vacated, dismissed, sealed, and expunged. It is an unlawful discriminatory practice for any entity to make any inquiry about such an expunged conviction or to use such an expunged conviction adversely against an individual in any form of application or otherwise—unless specifically required or permitted to do so by statute. It shall be an unlawful discriminatory practice, unless specifically required or permitted by statute, for any person, agency, bureau, corporation or association, including the state and any political subdivision thereof, to make any inquiry about, whether in any form of application or otherwise, or to act upon adversely to the individual involved, any arrest or criminal accusation of such individual not then pending against that individual which was followed by a termination of that criminal action or proceeding in favor of such individual, as defined in subdivision two of section 160.50 of the criminal procedure law, or by a youthful offender adjudication, as defined in subdivision one of section 720.35 of the criminal procedure law, or by a conviction for a violation sealed pursuant to section 160.55 of the criminal procedure law or by a conviction which is sealed pursuant to section 160.58 or 160.59 of the criminal procedure law, in connection with the licensing, employment or providing of credit or insurance to such individual; provided, further, that no person shall be required to divulge information pertaining to any arrest or criminal accusation of such individual not then pending against that individual which was followed by a termination of that criminal action or proceeding in favor of such individual, as defined in subdivision two of section 160.50 of the criminal procedure law, or by a youthful offender adjudication, as defined in subdivision one of section 720.35 of the criminal procedure law, or by a conviction for a violation sealed pursuant to section 160.55 of the criminal procedure law, or by a conviction which is sealed pursuant to section 160.58 or 160.59 of the criminal procedure law. The provisions of this subdivision shall not apply to the licensing activities of governmental bodies in relation to the regulation of guns, firearms and other deadly weapons or in relation to an application for employment as a police officer or peace officer as those terms are defined in subdivisions thirty-three and thirty-four of section 1.20 of the criminal procedure law; provided further that the provisions of this subdivision shall not apply to an application for employment or membership in any law enforcement agency with respect to any arrest or criminal accusation which was followed by a youthful offender adjudication, as defined in subdivision one of section 720.35 of the criminal procedure law, or by a conviction for a violation sealed pursuant to section 160.55 of the criminal procedure law, or by a conviction which is sealed pursuant to section 160.58 or 160.59 of the criminal procedure law. [Executive Law § 296 (16)]

Charges may not be the same as the original arrest charges.

CPL 160.50: All official records (excluding published court decisions or opinions or records and briefs on appeal) related to the arrest or prosecution on file with the Division of Criminal Justice Services, any court, police agency or prosecutor's office shall not be available to any person or public or private agency.

STATE OF NEW YORK  
BUFFALO CITY COURT  
50 DELAWARE AVENUE  
BUFFALO, NY 14202  
RECEIPT # 817508

DATE: 05-13-2021 TIME: 15:23  
CASE #: CR-01001-05  
DEFENDANT: RAYDARD PAULK  
RECEIVED FROM: RAYDARD PAULK

1-CERTIFICATE DISPO CRIM	5.00
TOTAL DUE:	5.00
PAYMENTS:	
CASH	5.00
AMOUNT TENDERED:	5.00
CHANGE:	.00
OPERATOR: AB	REGISTER# 2

STATE OF NEW YORK  
SUPREME COURT : COUNTY OF ERIE

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IN THE MATTER OF THE APPLICATION OF

RAYDARO V. PAULK

ORDER

FOR A FIREARMS LICENSE PURSUANT TO  
SECTION 400.00 OF THE NEW YORK STATE  
PENAL LAW

---

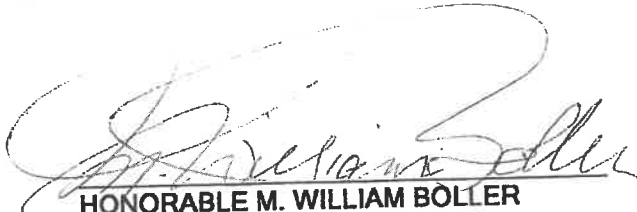
Upon a full review of the application for a firearms license by the above-named applicant, and following a full investigation of the application, said application is hereby DENIED for the following reason: Applicant's failure, under oath, to completely and accurately answer the question on the application regarding prior arrests, contrary to the instructions on said application: "Your failure to disclose any criminal charge (even if dismissed and sealed), may be sufficient cause to deny this application." At the time he filed his application, applicant also signed a document acknowledging that "Failure to disclose any criminal charges placed against you at any time will result in a denial of your application."

Applicant failed to disclose certain background information regarding a prior criminal history.

The purpose for the application and all of the forms filed therewith are critical to maintaining accurate and proper documentation. Applicant failed to comply with the requirements of the law. The application must therefore be denied.

Permission is hereby granted for applicant to submit a new application for a Firearms License one year from the date of this Order.

SO ORDERED.

  
HONORABLE M. WILLIAM BOLLER  
A.J.S.C.

DATED: March 26, 2021  
Buffalo, New York





COUNTY OF ERIE  
MICHAEL P. KEARNS  
ERIE COUNTY CLERK

April 1, 2021

RAYDARO V PAULK  
74 10TH ST #104  
BUFFALO, NY 14201

Dear RAYDARO::

Please be advised that your application for a Firearms License has been denied by the Honorable M. William Boller, Acting Justice of the Supreme Court.

Enclosed is the order specifying his reason(s) for his decision.

If you have any questions, please contact the Pistol Permit Department at 716-858-8785, option #3.

Sincerely,

A handwritten signature in black ink that reads "Michael P. Kearns". The signature is written in a cursive style.

MICHAEL P. KEARNS  
Erie County Clerk

I (a) PLAINTIFFS "Raydard Vashawn Paulk SR"

DEFENDANTS

Erie County Clerk  
County of Residence of First Listed Defendant "Michael P. Kearns"  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

(b) County of Residence of First Listed Plaintiff Eric County  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

(N/A)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff  
☒ 3 Federal Question (U.S. Government Not a Party)  
☐ 2 U.S. Government Defendant  
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- (N/A) (For Diversity Cases Only)  
Citizen of This State ☐ 1 ☐ 1 Incorporated or Principal Place of Business in This State ☐ 4 ☐ 4  
Citizen of Another State ☐ 2 ☐ 2 Incorporated and Principal Place of Business in Another State ☐ 5 ☐ 5  
Citizen or Subject of a Foreign Country ☐ 3 ☐ 3 Foreign Nation ☐ 6 ☐ 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROFESSIONAL FEES</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input checked="" type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<b>FEDERAL TAXES</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
Brief description of cause: Denied Pistol Permit, due to Government police station and courts wrong doing

VII. REQUESTED IN COMPLAINT: (N/A)

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint: JURY DEMAND: ☐ Yes ☐ No

VIII. RELATED CASE(S) IF ANY (N/A)

(See instructions):

JUDGE

DOCKET NUMBER

DATE

5/4/2021

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE